

**U.S. District Court  
California Northern District (Oakland)  
CIVIL DOCKET FOR CASE #: 4:19-cv-06971-SBA**

Sierra Club v. United States Securities and Exchange  
Commission  
Assigned to: Judge Sandra Brown Armstrong  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/24/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Sierra Club**

represented by **Van Swearingen**  
Rosen Bien Galvan & Grunfeld LLP  
101 Mission Street, Sixth Floor  
San Francisco, CA 94105-1738  
415-433-6830  
Fax: 415-433-7104  
Email: [vswearingen@rbgg.com](mailto:vswearingen@rbgg.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Hugo Dario Cabrera**  
Rosen Bien Galvan Grunfeld  
101 Mission Street  
Sixth Floor  
San Francisco, CA 94105  
United Sta  
415-433-6830  
Fax: (415) 433-7104  
Email: [HCabrera@rbgg.com](mailto:HCabrera@rbgg.com)  
**TERMINATED: 12/17/2019**

**Michael S. Nunez**  
Rosen Bien Galvan & Grunfeld LLP  
101 Mission Street  
Sixth Floor  
San Francisco, CA 94105  
(415) 433-6830  
Fax: (415) 433-7104  
Email: [mnunez@rbgg.com](mailto:mnunez@rbgg.com)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****United States Securities and Exchange  
Commission**

represented by **Kevin Dean Solonsky**  
Securities & Exchange Commission  
100 F Street, NE  
Washington, DC 20549-9612  
202-551-5014  
Fax: 202-772-9263  
Email: [solonskykd@sec.gov](mailto:solonskykd@sec.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

| Date Filed | #        | Docket Text  |
|------------|----------|--|
| 10/24/2019 | <u>1</u> | COMPLAINT against United States Securities and Exchange Commission ( Filing fee \$ 400, receipt number 0971-13821583.). Filed by Sierra Club. (Attachments: # <u>1</u> Exhibit A-V, # <u>2</u> Civil Cover Sheet)(Swearingen, Van) (Filed on 10/24/2019) |

|            |           |  |
|------------|-----------|--|
|            |           | (Entered: 10/24/2019)  |
| 10/24/2019 | <u>2</u>  | <p>Case assigned to Magistrate Judge Kandis A. Westmore.</p> <p>Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at <a href="http://cand.uscourts.gov/ecf/caseopening">http://cand.uscourts.gov/ecf/caseopening</a>.</p> <p>Standing orders can be downloaded from the court's web page at <a href="http://www.cand.uscourts.gov/judges">www.cand.uscourts.gov/judges</a>. Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 11/7/2019. (ajsS, COURT STAFF) (Filed on 10/24/2019) (Entered: 10/24/2019)</p> |
| 10/24/2019 | <u>3</u>  | <b>**RE-FILED AT DOCKET NO. 4 **</b> Proposed Summons. (Swearingen, Van) (Filed on 10/24/2019) Modified on 10/24/2019 (jjbS, COURT STAFF). (Entered: 10/24/2019)   |
| 10/24/2019 | <u>4</u>  | Proposed Summons. (Swearingen, Van) (Filed on 10/24/2019) (Entered: 10/24/2019)  |
| 10/24/2019 | <u>5</u>  | Certificate of Interested Entities by Sierra Club (Swearingen, Van) (Filed on 10/24/2019) (Entered: 10/24/2019)  |
| 10/24/2019 | <u>6</u>  | <b>Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 1/21/2020. Initial Case Management Conference set for 1/28/2020 01:30 PM.</b> (jjbS, COURT STAFF) (Filed on 10/24/2019) (Entered: 10/24/2019)   |
| 10/24/2019 | <u>7</u>  | Summons Issued as to United States Securities and Exchange Commission.(jjbS, COURT STAFF) (Filed on 10/24/2019) (Entered: 10/24/2019)  |
| 11/06/2019 | <u>8</u>  | CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Sierra Club.. (Swearingen, Van) (Filed on 11/6/2019) (Entered: 11/06/2019)  |
| 11/11/2019 | <u>9</u>  | PROOF OF SERVICE on an Agency or Corporation of the United States by Sierra Club (Swearingen, Van) (Filed on 11/11/2019) Modified on 11/12/2019 (jjbS, COURT STAFF). (Entered: 11/11/2019)   |
| 11/26/2019 | <u>10</u> | NOTICE of Appearance by Kevin Dean Solonsky (Solonsky, Kevin) (Filed on 11/26/2019) (Entered: 11/26/2019)  |
| 11/27/2019 | <u>11</u> | ANSWER to <u>1</u> Complaint by United States Securities and Exchange Commission. (Solonsky, Kevin) (Filed on 11/27/2019) Modified on 12/2/2019 (jjbS, COURT STAFF). (Entered: 11/27/2019)   |
| 12/02/2019 | <u>12</u> | CLERK'S NOTICE Re: Consent or Declination: Defendant shall file a consent or declination to proceed before a magistrate judge. Note that any party is free to withhold consent to proceed before a magistrate judge without adverse substantive consequences. The forms are available at: <a href="http://cand.uscourts.gov/civilforms">http://cand.uscourts.gov/civilforms</a> . Consent/Declination due by 12/16/2019. (dtmS, COURT STAFF) (Filed on 12/2/2019) (Entered: 12/02/2019)  |
| 12/16/2019 | <u>13</u> | CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by United States Securities and Exchange Commission.. (Solonsky, Kevin) (Filed on 12/16/2019) (Entered: 12/16/2019)  |
| 12/16/2019 | 14        | <p>CLERK'S NOTICE OF IMPENDING REASSIGNMENT TO A U.S. DISTRICT COURT JUDGE: The Clerk of this Court will now reassign this case to a District Judge because a party has not consented to the jurisdiction of a Magistrate Judge. You will be informed by separate notice of the district judge to whom this case is reassigned.</p> <p>ALL HEARING DATES PRESENTLY SCHEDULED BEFORE THE CURRENT MAGISTRATE JUDGE ARE VACATED AND SHOULD BE RE-NOTICED FOR HEARING BEFORE THE JUDGE TO WHOM THIS CASE IS REASSIGNED.</p>  |

|            |           |  |
|------------|-----------|--|
|            |           | <i>This is a text only docket entry; there is no document associated with this notice.</i><br>(shyS, COURT STAFF) (Filed on 12/16/2019) (Entered: 12/16/2019)  |
| 12/17/2019 | <u>15</u> | <b>ORDER REASSIGNING CASE.</b> Case reassigned using a proportionate, random, and blind system pursuant to General Order No. 44 to Judge Sandra Brown Armstrong for all further proceedings. Magistrate Judge Kandis A. Westmore no longer assigned to case. Signed by the Clerk on 12/17/2019. (ajsS, COURT STAFF) (Filed on 12/17/2019) (Entered: 12/17/2019)  |
| 12/17/2019 | <u>16</u> | <b>CASE MANAGEMENT SCHEDULING ORDER FOR REASSIGNED CIVIL CASE.</b> Joint Case Management Statement due by 1/29/2020. Telephonic Case Management Conference set for 2/5/2020 02:30 PM. Signed by Judge Sandra Brown Armstrong on 12/17/19. (dtmS, COURT STAFF) (Filed on 12/17/2019) (Entered: 12/17/2019)  |
| 12/17/2019 | <u>17</u> | NOTICE of Substitution of Counsel by Michael S. Nunez (Nunez, Michael) (Filed on 12/17/2019) (Entered: 12/17/2019)   |
| 01/07/2020 | <u>18</u> | NOTICE to Court by Sierra Club re <u>6</u> Initial Case Management Scheduling Order with ADR Deadlines (Nunez, Michael) (Filed on 1/7/2020) Modified on 1/7/2020 (jmlS, COURT STAFF). (Entered: 01/07/2020)  |
| 01/08/2020 | <u>19</u> | ADR Certification (ADR L.R. 3–5 b) of discussion of ADR options (Solonsky, Kevin) (Filed on 1/8/2020) (Entered: 01/08/2020)  |
| 01/10/2020 | <u>20</u> | ADR Certification (ADR L.R. 3–5 b) of discussion of ADR options (Nunez, Michael) (Filed on 1/10/2020) (Entered: 01/10/2020)  |
| 01/29/2020 | <u>21</u> | JOINT CASE MANAGEMENT STATEMENT filed by Sierra Club and U.S. Securities and Exchange Commission. (Nunez, Michael) (Filed on 1/29/2020) Modified on 1/29/2020 (jmlS, COURT STAFF). (Entered: 01/29/2020)   |
| 02/05/2020 | <u>22</u> | <b>Minute Entry for proceedings held before Judge Sandra Brown Armstrong: Telephonic Case Management Conference held on 2/5/2020. Further Case Management Conference set for 3/5/2020 at 02:45 PM in Oakland, Chambers. Case Management Statement due by 3/2/2020. Total Time in Court: 15 minutes. Court Reporter: Unreported.</b> (tvnS, COURT STAFF) (Date Filed: 2/5/2020) (Entered: 02/06/2020)   |
| 03/02/2020 | <u>23</u> | JOINT CASE MANAGEMENT STATEMENT filed by Sierra Club and U.S. Securities and Exchange Commission. (Swearingen, Van) (Filed on 3/2/2020) Modified on 3/3/2020 (jmlS, COURT STAFF). (Entered: 03/02/2020)  |
| 03/04/2020 | 24        | CLERK'S NOTICE CONTINUING CASE MANAGEMENT CONFERENCE. Notice is hereby given that the further telephonic case management conference previously set for 3/5/2020 at 2:45 p.m. will be heard on 3/12/2020 at 3:00 p.m. *Plaintiff's counsel is to set up the conference call with all the parties on the line and call chambers at (510) 879–3550. (This is a text–only entry generated by the court. There is no document associated with this entry.) (amgS, COURT STAFF) (Filed on 3/4/2020) (Entered: 03/04/2020)  |
| 03/12/2020 | <u>25</u> | <b>Minute Entry for proceedings held before Judge Sandra Brown Armstrong: Telephonic Case Management Conference held on 3/12/2020. Further Telephonic Case Management Conference set for 4/16/2020 02:45 PM in Oakland, Chambers. Joint Case Management Statement due by 4/14/2020. FTR Time: Not Reported.</b> (amgS, COURT STAFF) (Date Filed: 3/12/2020) (Entered: 03/13/2020)  |
| 03/18/2020 | 26        | CLERK'S NOTICE CONTINUING FURTHER TELEPHONIC CASE MANAGEMENT CONFERENCE. In view of the current situation involving the COVID19 virus, notice is hereby given that the further telephonic case management conference previously set for 4/16/2020 at 2:45 p.m. will be heard on 5/28/2020 at 2:30 p.m. Plaintiff's counsel is to set up the conference call with all the parties on the line and call chambers at (510) 879–3550. No party shall contact chambers directly without prior authorization of the court. Joint Case Management Statement due by 5/21/2020. If the parties require a CMC prior to May 1, 2020 to address an exigent matter, please contact Judge Armstrong's CRD, Aris Garcia via e–mail at SBACRD@Cand.USCourts.gov to discuss. (This is a text–only entry generated by the court. There is no document associated with this entry.) (amgS, COURT STAFF) |

|            |           |  |
|------------|-----------|--|
|            |           | (Filed on 3/18/2020) (Entered: 03/18/2020)   |
| 04/20/2020 | <u>27</u> | CLERK'S NOTICE UPDATING TELEPHONIC FURTHER CASE MANAGEMENT CONFERENCE INSTRUCTIONS. Notice is hereby given that Counsel shall join the conference line (888) 684-8852 promptly at the date and time specified. The access code to join the conference is 7281326. Please be advised that conferences in other cases may precede and/or follow the conference scheduled in this case. When connecting, you may hear music and/or another conference; please be patient and wait for your case to be called before making an appearance. When your case management conference concludes, please exit without delay to clear the line for other proceedings. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (amgS, COURT STAFF) (Filed on 4/20/2020) (Entered: 04/20/2020) |
| 05/21/2020 | <u>28</u> | JOINT CASE MANAGEMENT STATEMENT filed by Sierra Club and United States Securities and Exchange Commission. (Nunez, Michael) (Filed on 5/21/2020) Modified on 5/22/2020 (jmlS, COURT STAFF). (Entered: 05/21/2020)  |
| 05/22/2020 | <u>29</u> | CLERK'S NOTICE CONTINUING FURTHER TELEPHONIC CASE MANAGEMENT CONFERENCE. Notice is hereby given that the further telephonic case management conference previously set for 5/28/2020 at 2:30 P.M. is continued to 7/9/2020 date at 2:30 p.m. Joint Case Management Statement due 7/2/2020. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (amgS, COURT STAFF) (Filed on 5/22/2020) (Entered: 05/22/2020)   |
| 07/02/2020 | <u>30</u> | JOINT CASE MANAGEMENT STATEMENT filed by Sierra Club. (Nunez, Michael) (Filed on 7/2/2020) (Entered: 07/02/2020)   |